
NEVADA NUCLEAR WASTE TASK FORCE, INCORPORATED

Non-profit Public Advocacy

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August 19, 2011

To: The Blue Ribbon Commission on
America's Nuclear Future

Re: Comments on the Draft Report to the
Secretary of Energy

In the Draft Report there are seven “key elements.” The Nevada Nuclear Waste Task Force’s (Task Force) comments will address them in the order they are listed but first, we believe that there are essential steps that must be taken before the implementation of the recommendations can begin. These steps would be in two categories – those related to consolidated interim storage facilities and the steps to precede any efforts toward geologic disposal sites.

A. Consolidated Interim Storage:

On page 8 of the draft report you correctly say:

“Broad public support for a new strategy will depend on some shared understanding of the nature and extent of the problem, available options for resolving the problem, and the consequences and risks associated with different actions—including the consequences and risks of further inaction.”

Regarding the establishment of consolidated interim storage facilities for commercial spent nuclear fuel (SNF), taking the steps indicated in this statement is a necessary first step. We believe that there is not a convincing argument showing that SNF stored at the site of its generation poses a problem that would be resolved by consolidated interim storage. Further, when the Commission recommends “prompt efforts” or “move as quickly as possible,” to establish such facilities, it appears that any effort to fulfill the highlighted statement will be short circuited. In fact, operating one or more consolidated interim storage facilities would involve a challenging waste handling process at the current storage sites, large-scale shipping campaigns, followed by another massive waste handling function at the destination. It would then serve only as an illustration the utility owners can use to show that they can get

rid of some of the waste. Every step of this relocation of some of the waste at reactor sites involves risks that would not be taken by workers or the public if waste were to stay where it is until final disposal is available.

Until there is an analysis that shows convincing evidence that relocation of some waste (to an additional waste site) has benefits that outweigh the risks, it is our opinion that a “solution” has not been found but rather another problem would be created. We also believe that more attention is paid to waste that is at the point of generation in terms of utility, regulator, public and government oversight than would be at a consolidated interim storage facility located in just one Congressional district. It is far easier to distrust the term “interim” when waste is moved to a place “somewhere else.”

A thorough examination of the risks to health, safety and the environment, as well as the expense of establishing a new, temporary facility must be done. If it is determined that moving ahead with such a program is beneficial to all, then a voluntary host can be sought. This cannot be a “prompt” or “quick” process but rather must involve informed participation, as you point out in Section 2.3.5 of the report. Several places in the report mention the need to establish “trust and confidence.” From the public standpoint, that term relates to a value – trustworthiness. It is not simply meeting milestones in an accounting sense as is the case with industry and government.

B. Geologic Disposal Sites:

The Task Force agrees with and supports the Text Box on page 63 of the report that lists a number of steps for “Getting Started.” Again, we think that any reference to “prompt efforts” or “moving as quickly as possible” only serve to create suspicion in the process. Replace the phrase with simply “begin.”

The development of siting criteria and publicly acceptable standards cannot be rushed. It is essential that there be **no** suggestion that “getting a spot” is the primary goal. Important knowledge has been gained during the government’s efforts at Yucca Mountain regarding both of these steps. New siting guidelines can now be written that would have the benefit of lessons learned about waste isolation capabilities of the unsaturated zone as well salt deposits when high levels of radiation and excessive heat are introduced. There are also studies available from work that has been done internationally and it should be incorporated into siting preferences for disposal of SNF and high-level waste (HLW). Additionally, there should be an appreciation of the public distain that was created when the DOE’s siting guidelines were abandoned as more was learned about Yucca Mountain. If that were ever to happen again, a state and/or community that had volunteered to host a site **must** have the unquestioned right to opt out.

There must be recognition of public expectations regarding safety standards for geologic repositories. Siting, studying and licensing a repository is an immense undertaking that is very disruptive for any host state, local and/or tribal community. The only valid reason to undertake such an expensive and complex program is that long-term public and environmental protection can be assured essentially forever. It is expected that operating nuclear facilities or waste storage sites may have small radioactive releases and operators and regulators are supposed to ensure that systems are in place that will keep those releases below a very low threshold. Aboveground facilities at a repository would be expected to operate with similar regulations.

Once waste is emplaced in an approved and licensed repository, there should be **no** release/dose/exposure. If there is an assumption or expectation that there may be releases, permanent disposal has **not** been achieved. The total cost of a Yucca Mountain repository would have been roughly \$100 billion dollars and total confinement and isolation of the waste was not even a goal of the plan. That was the basis of the opposition.

At least some of the repository programs in other countries expect and work toward zero release from a repository. That shows the public a focus on and concern for permanent public safety. The previous repository program in the U.S. was aimed at meeting a standard that is still being litigated. During the course of the DOE's Yucca Mountain Project, scientists and engineers talked of strategies that would "drive the doses down." Such motivations and desperate attempts to get a repository licensed must not occur again.

Following are the Task Force comments on the Commission's recommendations:

1. A new, consent-based approach to siting future nuclear waste management facilities.

The Task Force is very pleased to see the Commission place "...consent-based approach to siting..." as the number one recommendation. The primary frustration for Nevadans during the decades of the Yucca Mountain battle was that they were allowed to say "yes" and to cooperate (or be coopted) but they could not say "no."

If a state and community volunteers to be a candidate for a possible repository site, in doing so they intend to enter into a cooperative process. Presumably they would have understood and agreed to the siting guidelines and safety standards. They would expect to be full and respected participants in the project and have financial support. It would be clearly understood that there are stages or points at which they can opt out and when those would end. In describing this process, we think that the Commission should be clear that trust is primary for any volunteer or entity giving consent. If there is any indication that expressing interest or giving conditional support could lead the volunteer to a situation where they cannot as easily get out, the process will fail. In the report on

page 67 there is a discussion about negotiations that would take place with volunteers regarding the consent process. It should be assumed that any potential volunteer will be skeptical. The Commission's recommendation should be made simpler and not be concerned with, or argue against a state or any other veto. The indication of a good and potentially successful process is that all parties are willingly working together toward a common goal. If this is not happening and the volunteer wants out and uses some exit strategy or veto, it was not a process that warranted more time and additional money. Fighting to keep it going would be a mistake.

2. A new organization dedicated solely to implementing the waste management program and empowered with the authority and resources to succeed.

We have had no experience with federal corporations or any of the possible new organizations that the Commission discusses in the report.

3. Access to the funds nuclear utility ratepayers are providing for the purpose of nuclear waste management.

The Task Force would suggest that the Commission recommend criteria for triggers that when met, would provide for access to funds as the project goes forward. Completion of milestones or agreed to steps would trigger the next phase of the process and the funds required.

4. Prompt efforts to develop one or more geologic disposal facilities.

The process for siting and developing a new repository can begin only after the steps that we explained above have been completed. Also as stated above, we would ask that you remove the word "Prompt" and instead say "Begin."

Starting in this manner allows both the new organization, and the volunteer host to begin a cooperative process toward developing a facility.

5. Prompt efforts to develop one or more consolidated interim storage facilities.

Our comments to this recommendation are the same as above.

6. Support for continued U.S. innovation in nuclear energy technology and for workforce development.

On page vi, you state:

Finally, there are several questions the Commission was not asked to consider and therefore did not address. We have not:

The last item on that list is:

Offered a judgment about the appropriate role of nuclear power in the nation's (or the world's) future energy supply mix.

We are fully in favor of your decision **not** to consider or address that issue. We believe that on page xi of the report, number 6 contradicts that statement. Recommending Research, Development and Deployment of new technologies and recommending that the NRC develop ways for licensing advanced systems is a clear judgment about and endorsement of future nuclear power. Section 10.3 is certainly in support of new reactors and new reactor technology.

Again, the Task Force strongly supports your decision to not address nuclear power in the future and we ask that you eliminate the portions of Section 10 that do so.

Additionally, we fully support the Commission's belief that: "...it is premature to try to reach consensus on the question of whether the United States should commit, as a matter of policy, to "closing" the nuclear fuel cycle (i.e., commit to recovering and reusing some components of spent fuel)..." on page xii.

7. Active U.S. leadership in international efforts to address safety, waste management, nonproliferation, and security concerns.

We firmly agree that the U.S. should actively work with the international community toward enhanced nuclear safety, nonproliferation and security. We commend the Commission for this recommendation because nuclear threats are international. Radiation releases as we have seen at Fukushima, Japan are international as well and must not only be addressed but there must be an understanding that the only solution is working with all nuclear nations to avoid any future disaster. Fukushima is the most current example of the fact that radiation releases do not respect borders.

Finally the Task Force appreciates that the Commission recognized the call from many speakers and hundreds of grassroots organization for Hardened On-Site Storage (HOSS) at reactor and other waste sites. We urge you to give a strong recommendation to enhancing and improving the safety of current waste storage by making HOSS one of your recommendations.

The processes for establishing a new repository program or possible consolidated interim storage will take time. Government funding and decision making are currently very difficult if not impossible. Recommending the adoption of HOSS by the Commission would encourage a step toward increased safety that can be done now and at affordable cost. Applying the words "prompt" and "as quickly as possible" to HOSS would be appropriate and allow deliberate, well thought-out programs to be developed for voluntary storage and permanent disposal systems.

The Nevada Nuclear Waste Task Force appreciates the opportunity to comment on this thoughtful and comprehensive draft report. We especially commend your staff for their willingness to help grassroots organizations and members of the public with questions and concerns throughout the time of your work. They have shown unique commitment to this effort and helping us to help you.

If the Commission would like the Task Force to expand on any of the comments made here, we would be happy to provide whatever you need or want.

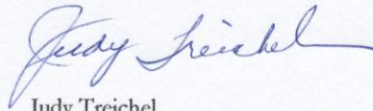
Submitted by,

Judy Treichel
Executive Director

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Submitted by,

A handwritten signature in blue ink, reading "Judy Treichel". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Judy Treichel
Executive Director